

**AMENDMENTS**

**In the Claims:**

1. (Currently Amended) An instrument set for fitting an intervertebral prosthesis, comprising:

a guide device which is configured to be arranged on vertebral bodies and for guiding a tool,  
an adjustment instrument configured for adjusting the guide device and which comprises a projecting adjustment rod and an intervertebral plate to be fitted into an intervertebral space with the projecting adjustment rod cooperating with the guide device,

wherein the intervertebral plate comprises at least one X-ray marker ~~extending in~~ operable as an aiming line along an anterior-posterior ~~direction~~ axis for positioning the intervertebral plate in the intervertebral space.

2. (Previously Presented) The instrument set as claimed in claim 1, wherein the intervertebral plate has a size and shape adapted to allow the plate to adopt a position that is substantially centered with respect to the intervertebral space.

3. (Previously Presented) The instrument set as claimed in claim 1, wherein the intervertebral plate further comprises a transversely extending X-ray marker.

4. (Previously Presented) The instrument set as claimed in claim 1 or 2, wherein at least one X-ray marker is formed by a bore.

5. (Previously Presented) The instrument set as claimed in claim 1, wherein the guide device is designed to be secured to vertebral bodies to be connected by the intervertebral prosthesis and has an opening formed therein which is larger than the intervertebral plate.

6. (Previously Presented) The instrument set as claimed in claim 5, further comprising an intermediate adjustment piece which can be applied to the guide device and is displaceable on the adjustment rod.

7. (Previously Presented) The instrument set as claimed in claim 5, further comprising a gauge for a machining tool applied to the guide device.

8. (Canceled)

9. (Previously Presented) An instrument set for fitting an intervertebral prosthesis into an intervertebral space between vertebral bodies, comprising:

a guide device configured for guiding at least one tool for working a vertebral body, and  
an adjustment instrument configured for adjusting the guide device and comprising an intervertebral plate configured to be fitted into the intervertebral space and, projecting from the intervertebral plate, an adjustment rod cooperating with the guide device,

wherein the intervertebral plate or the adjustment rod comprises a marking detectable in an anterior-posterior X-ray beam path.

10. (Previously Presented) The instrument as claimed in claim 9, wherein the surface of the intervertebral plate is designed so that it is displaceable in a transverse direction and positionable in the intervertebral space under X-ray control.

11. (Previously Presented) The instrument set as claimed in claim 9, wherein the intervertebral plate comprises an X-ray marker detectable in a lateral-medial beam path.

12. (Currently Amended) The instrument set as claimed in claim 9, wherein the guide device is configured to be pushed onto a free end of the adjustment rod, and the adjustment rod and the guide device have interacting surfaces shaped so as to complement one another to give a non-rotational fit, the guide device defining a drill gauge for two drill axes made by through holes arranged in parallel to one another in a median plane above and below the adjustment rod.

13. (Previously Presented) The instrument set as claimed in claim 12, further comprising two drill gauges arranged on a hub surrounding the adjustment rod.

14. (Previously Presented) The instrument set as claimed in claim 12, further comprising only one drill gauge arranged on a hub surrounding the adjustment rod, the interacting surfaces of

the hub and of the adjustment rod fitting together in two positions offset 180° in relation to one another.

15. (Previously Presented) The instrument set as claimed in claim 9, wherein the intervertebral plate is wedge-shaped.

16. (Currently Amended) An instrument set for fitting an intervertebral prosthesis into an intervertebral space between two vertebral bodies, comprising:

an adjustment device consisting of an intervertebral plate positionable in the intervertebral space and an adjustment rod projecting from the intervertebral plate, and

a guide device having a hub which can be pushed onto the adjustment rod and which is positioned by the adjustment rod via complementary surfaces shaped to give a non-rotational fit,

wherein the guide device defines two guide axes made by through holes located in a median plane below and above the adjustment rod and extending parallel to the adjustment rod.

17. (Previously Presented) The instrument set as claimed in claim 16, wherein the guide device further comprises a drill gauge and the complementary interacting surfaces of the adjustment rod and of the hub fit together in positions offset 180° in relation to one another.

18. (Currently Amended) An instrument set for fitting an intervertebral prosthesis in an intervertebral space between an upper vertebral body and a lower vertebral body, comprising:

a) an adjustment device consisting of an intervertebral plate and an adjustment rod projecting from the intervertebral plate,

wherein a dimension of the intervertebral plate in a lateral-medial direction is at least about 70% of a ~~clear~~ distance between protrusions of the lower vertebral body,

b) a guide device which is supported by the adjustment rod and which forms two guide axes made by through holes lying in a median plane below and above the adjustment rod and parallel thereto,

c) a cylindrical turning instrument oriented with respect to the guide axes,

d) two pins which can be introduced into the vertebral bodies parallel to one another by means of the turning instrument, and

e) a spreader instrument configured to be connected to the pins to hold ~~holding~~ the pins parallel.

19. (Canceled)

20. (Currently Amended) An instrument set ~~for fitting~~ configured to fit an intervertebral prosthesis into the intervertebral space between two vertebral bodies, comprising:

cutting tools for shaping the intervertebral space to match the shape of the prosthesis, comprising a set of rasps, the largest rasp being substantially the same as the prosthesis in cross-sectional shape and the other rasps being progressively smaller than the largest rasp, the largest rasp having a height substantially similar to that of the other rasps, the height corresponding to that of the prosthesis, the rasps having a leveled surface without teeth ~~on a side that corresponds to a leveled part of the prosthesis~~, and at least one of the rasps having a handle for manual operation.

21. (Currently Amended) A method for implanting an intervertebral prosthesis, comprising: removing an intervertebral disk to produce an intervertebral space, introducing an intervertebral plate having a surface area smaller than a surface area of the intervertebral space and comprising at least one X-ray marker ~~extending in~~ operable as an aiming line along an anterior-posterior ~~direction~~ axis which is configured to position the intervertebral plate in the intervertebral space,

applying a guide device to an adjustment rod projecting in a ventral direction from the intervertebral plate and applied against the vertebral bodies,

working the vertebral bodies with the aid of the guide device, and

fitting the intervertebral prosthesis.

22. (Currently Amended) A method for fitting an intervertebral prosthesis into an intervertebral space between two vertebral bodies, comprising:

removing an intervertebral disk,  
positioning and securing an intervertebral plate of an adjustment instrument in the intervertebral space,  
sliding a hub of a guide device onto an adjustment rod projecting from the intervertebral plate in such a way that the guide device defines two guide axes made by through holes in a median plane above and below the adjustment rod and parallel thereto,  
introducing two pins into the vertebral bodies in the direction of the guide axes,  
thereafter, connecting a distraction forceps to the pins so that they are held parallel to one another,  
removing the guide device from the adjustment rod,  
setting a spacing of the intervertebral bodies,  
removing the adjustment rod, and  
working the intervertebral space as desired, thereby fitting the intervertebral prosthesis.

23. (Currently Amended) An instrument set for fitting an intervertebral prosthesis, comprising:

a guide device, which is configured to be arranged between vertebral bodies and for guiding a tool, and

an adjustment instrument, which is configured for use in adjusting the guide device and which comprises an intervertebral plate configured to fit into an intervertebral space and a projecting adjustment rod which is configured to position the guide device,

wherein the guide device defines two guide axes made by through holes in a median plane above and below the adjustment rod and parallel to the adjustment rod and the intervertebral plate has a surface area with a size and shape configured to allow the plate to adopt a position that is substantially centered with respect to the intervertebral space.

24. (Currently Amended) The instrument set as claimed in claim 1, wherein a dimension of the intervertebral plate in a lateral-medial direction is at least about 70% of a ~~clear~~ distance between protrusions of a lower vertebral body.

25. (Previously Presented) The instrument set as claimed in claim 1, wherein surfaces of the intervertebral plate that contact the vertebral bodies are substantially smooth.